

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

GREG DAVIS, AS NEXT FRIEND \*  
AND NATURAL GUARDIAN OF \*  
JOSHUA DAVIS \*

PLAINTIFF, \*

vs. \*

HOUSTON COUNTY, ALABAMA \*  
BOARD OF EDUCATION \*

CASE NO.1:06-CV-953-MEF

PROPOSED DISCOVERY PLAN

\_\_\_\_1. Pursuant to Fed.R.Civ.P. 26(f), a meeting was held by telephone conference between Malcolm Newman, Counsel for the Plaintiffs, and Jere C. Segrest, Kevin Walding and Patrick Moody, Counsel for the Defendant Houston County Board of Education.

2. Pre-Discovery Disclosures. The parties will exchange by December 21, 2006 the information required by Fed.R.Civ.P. 26(a)(1).

3. Discovery Plan. The parties jointly propose to the Court the following discovery plan:

A. Discovery will be needed on the following subjects: Plaintiff s claim and Defendants defenses;

B. All discovery shall be commenced in time to be completed by December 10, 2007;

C. A maximum of 25 interrogatories by each party to the other party;

D. A maximum of 25 requests for admissions by each party to the other party;

E. A maximum of 30 requests for production by each party to any other party;

F. A maximum of 20 depositions by Plaintiff and 20 depositions by each Defendant. Depositions are limited to seven hours for each deponent. A break for lunch will be at least one hour.

G. Reports from retained experts under Rule 26(a)(2) shall be due:

From Plaintiff by September 10, 2007;

From Defendants by October 15, 2007;

H. Supplementations under Rule 26(e) due 30 days after receipt of information.

4. Other items:

A. The parties do not request a conference with the Court before entry of the scheduling order.

B. The parties request a pretrial conference on February 4, 2008.

C. Plaintiff should be allowed until February 2,

2007 to join additional parties and to amend the pleadings.

D. Defendants should be allowed until March 5, 2007 to join additional parties and to amend the pleadings.

E. All potentially dispositive motions should be filed by November 5, 2007. Settlement cannot be evaluated prior to the close of discovery.

F. Final lists of witnesses and exhibits shall be due 30 days before trial.

G. Parties shall have 15 days after service of final lists of witnesses and exhibits to list objections.

H. The case should be ready for trial by March 17, 2008 and at this time is expected to take approximately 4 days.

DATE: December 4, 2006

BY: /s/ Malcolm R. Newman  
Malcolm R. Newman (NEW017)  
ASB-2826-M39M

ATTORNEY FOR PLAINTIFF

HARDWICK, HAUSE, SEGREST & WALDING

BY: /s/ Jere C. Segrest  
Jere C. Segrest (SEG005)  
ASB-1759-S-80J

BY: /s/ Kevin Walding  
Kevin Walding (WAL036)  
ASB-8121-I-69J

BY: /s/ Patrick Moody  
Patrick Moody (MOO110)  
ASB-0905-T-73M

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ATTORNEYS FOR DEFENDANTS